

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Velocity The Greatest Phone Company
 Ever, Inc. for a Certificate of Public Convenience and
 Necessity to Provide Interexchange and Local
 Exchange Telecommunications Services and for
 Flexible and Alternative Regulation of Local and
 Interexchange Service Offerings

BEFORE THE
 PUBLIC SERVICE COMMISSION
 OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2009 - 380 - C

(Please type or print)

Submitted by: Margaret M. Fox, Esquire

SC Bar Number: 65418

Address: McNair Law Firm, P. A.

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Columbia, SC 29211

Other:

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form

October 19, 2009

Margaret M. Fox

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T (803) 799-9800
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Charles L. A. Terreni
Chief Clerk and Administrator
South Carolina Public Service Commission
101 Executive Center Drive
Suite 100
Columbia, South Carolina 29210

Re: Application of Velocity The Greatest Phone Company
Ever, Inc. for a Certificate of Public Convenience and
Necessity to Provide Interexchange and Local Exchange
Telecommunications Services and for Flexible and
Alternative Regulation of Local and Interexchange
Service Offerings
Docket No. 2009-380-C

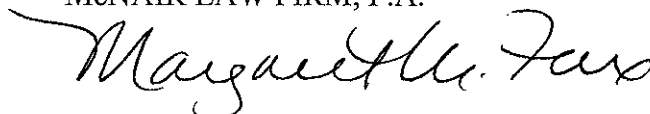
Dear Mr. Terreni:

Enclosed for filing please find a Petition to Intervene on behalf of Home
Telecom, Inc. and Home Telephone Company, Inc. in the above-referenced
docket. By copy of this letter and Certificate of Service, a copy is being served
on all parties of record.

Thank you for your assistance.

Sincerely,

McNAIR LAW FIRM, P.A.



Margaret M. Fox

McNair Law Firm, P. A.
The Tower at 1301 Gervais
1301 Gervais Street, 11th Floor
Columbia, SC 29201

MMF:rwm
Enclosure

Mailing Address
P.O. Box 11390
Columbia, SC 29211

cc: Parties of Record

mcnair.net

BEFORE
THE PUBLIC SERVICE COMMISSION
OF
SOUTH CAROLINA

Docket No. 2009-380-C

In the Matter of Application of Velocity The Greatest Phone)	
Company Ever, Inc. for a Certificate of Public Convenience and)	
Necessity to Provide Interexchange and Local Exchange)	
Telecommunications Services and for Flexible and Alternative)	PETITION TO
Regulation of Local and Interexchange Service Offerings)	INTERVENE
)	

Home Telecom, Inc. and Home Telephone Company, Inc. (collectively referred to herein as "Home Telecom") respectfully submit the within Petition to Intervene in the above-referenced docket. In support of the Petition, Home Telecom would respectfully show unto this honorable Commission:

1. Home Telephone Company, Inc. is an incumbent local exchange carrier and a rural telephone company operating in its designated service area in South Carolina, which is located in Berkeley and Dorchester Counties. Home Telecom, Inc. is an affiliate of Home Telephone Company, Inc., and is authorized to provide interexchange and competitive local exchange services in South Carolina. See Commission Order No. 2004-250 in Docket No. 2004-61-C.

2. Home Telecom seeks to intervene in this proceeding with full rights to participate as a party of record in so far as its interests might appear.

3. Velocity The Greatest Phone Company Ever, Inc. proposes to offer local and interexchange telecommunications services in the state of South Carolina. Home Telecom currently offers a service product known as "Velocity" in certain areas served by Home Telephone Company, Inc. and Home Telecom, Inc. Home Telecom has expended considerable resources in marketing its Velocity product in the respective service areas, including but not limited to direct mail marketing, bill

inserts, and using the Velocity logo on company vehicles.

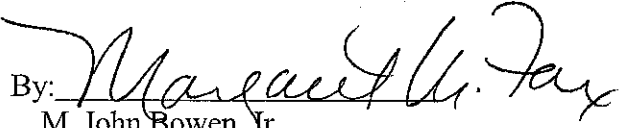
4. Home Telecom's position in this matter is that use of the name "Velocity The Greatest Phone Company Ever" is likely to lead to customer confusion between Velocity The Greatest Phone Company Ever and Home Telecom's Velocity service product. Home Telecom further believes that the name "Velocity The Greatest Phone Company Ever" is likely to misrepresent the nature, characteristics, quality or origin of services between Velocity The Greatest Phone Company Ever and Home Telecom's Velocity service product.

5. Home Telecom believes it would be contrary to the public interest for the Commission to certify a carrier to provide telecommunications services in South Carolina if the carrier has a name that is likely to cause customer confusion and misrepresent the nature, characteristics, quality and origin with respect to services already being offered in South Carolina by other certificated carriers.

6. Correspondence and communications to Home Telecom with respect to this proceeding should be directed to the undersigned counsel.

WHEREFORE, Home Telecom, Inc. and Home Telephone Company, Inc. respectfully request that this honorable Commission permit their intervention in this proceeding as their interests might appear.

Respectfully submitted,

By: 

M. John Bowen, Jr.

Margaret M. Fox

McNair Law Firm, P.A.

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Columbia, South Carolina 29211

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ATTORNEYS FOR HOME TELECOM, INC.
AND HOME TELEPHONE COMPANY, INC.

Columbia, South Carolina

October 19, 2009

BEFORE
THE PUBLIC SERVICE COMMISSION
OF
SOUTH CAROLINA

DOCKET NO. 2009-380-C

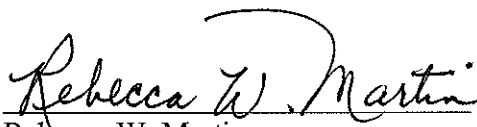
In the Matter of Application of Velocity The Greatest)
Phone Company Ever, Inc. for a Certificate of Public)
Convenience and Necessity to Provide Interexchange)
and Local Exchange Telecommunications Services)
and for Flexible and Alternative Regulation of Local)
and Interexchange Service Offerings)

**CERTIFICATE
OF SERVICE**

This is to certify that I, Rebecca W. Martin, an employee with the McNair Law Firm, P. A., have this date served one (1) copy of the attached Petition to Intervene in the above-referenced matter to the persons named below by causing said copy to be deposited with the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below.

Scott Elliott, Esquire
Elliott & Elliott, P.A.
721 Olive Street
Columbia, South Carolina 29205

Nanette S. Edwards, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211


Rebecca W. Martin
McNair Law Firm, P.A.
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(803) 799-9800

October 19, 2009

Columbia, South Carolina